

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                            |   |                |
|----------------------------|---|----------------|
| SUNGARD RECOVERY SERVICES, | : | CIVIL ACTION   |
| L.P.                       | : |                |
| v.                         | : |                |
|                            | : |                |
| UNISOURCE WORLDWIDE, INC.  | : | NO. 02-CV-3845 |
|                            | : |                |

**REPORT OF PRELIMINARY PRETRIAL CONFERENCE  
AND  
SCHEDULING ORDER**

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AND NOW, this 23<sup>rd</sup> day of September, 2002, upon review of the pleadings filed to date and upon consideration of the matters discussed at a conference with counsel, the Court issues the following Scheduling Order to govern all further proceedings in this case:

1. All fact discovery, including requests for and responses thereto, shall be completed on or before January 23, 2003.

2. Plaintiff's Pretrial Memorandum shall be prepared in accordance with this Order and Local Rule of Civil Procedure 16.1(c) and it shall be filed on or before February 3, 2003.

3. Defendant's Pretrial Memorandum shall be prepared in accordance with this Order and Local Rule of Civil Procedure 16.1(c) and it shall be filed on or before February 13, 2003.

4. All dispositive motions must be filed no later than seven (7) days after the close of discovery.

5. In addition to the items requested in Subsections 1 to 7 of Local Rule of Civil Procedure 16.1(c), the Court directs the

following:

(a) A summary of the qualifications of each expert witness and a specific identification of each discovery item and exhibit to be offered for identification or admission into evidence.

(b) A final pretrial conference will be held on February 19, 2003 at 9:30 a.m.. The case will be placed in the trial pool on February 24, 2003.

(c) Pursuant to Local Rule of Civil Procedure 16.1(d)(3), the Court, of its own motion or at the request of one of the parties, may order further conferences to narrow the issues or explore settlement, but it will not be necessary for counsel to prepare a proposed Pretrial Order in accordance with Local Rule of Civil Procedure 16.1(d)(2) unless specifically ordered by the Court.

(d) The provisions of Local Rule of Civil Procedure 16.1(d)(4) will be applicable to these proceedings.

(e) Failure to comply with the dates set forth above shall not be grounds for a continuance of the trial and such failure can result in the imposition of such sanctions as the Court deems appropriate.

(f) Because of the availability of the videotape recording equipment in the Federal Courthouse at minimal cost to counsel, requests for a continuance due to the absence of a

medical or expert witness will not be favorably received by the Court.

(g) Expert Reports - Refer to paragraph 6 of the Pretrial and Trial Procedures Before Judge James McGirr Kelly for procedures regarding expert reports.

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BY THE COURT:

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JAMES MCGIRR KELLY, J.